

REMARKS

Claims 1-33 are pending.

Claims 1-33 have been rejected.

Claims 1, 9, and 29 have been amended. No new matter has been added. Support for these amendments can be found, at least, within paragraphs [0015]-[0018], [0037], [0038], [0049], and [0050] of the Specification.

Double Patenting

Claims 1-7, 29-33, and 9-15 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as purportedly being unpatentable over claims 1-7 and 9-24 of U.S. Patent Application No. 10/696,156.

Given this provisional rejection, Applicants respectfully request that this rejection be held in abeyance until allowable subject matter is indicated in this or in the copending Application.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-33 stand rejected under 35 U.S.C. § 103(a) as purportedly being unpatentable over U.S. Patent Publication No. 5,806,075 (“Jain”) in view of U.S. Patent No. 5,708,828 (“Coleman”). Applicants respectfully traverse this rejection.

Applicants respectfully submit that neither Jain nor Coleman, alone or in any combination, teach or suggest, at the very least: (1) generating a target inventory transaction in a target computer system, where the generating comprises determining whether the target inventory transaction is appropriate to the target inventory system, and (2) the determining of whether the target inventory transaction is appropriate is based, at least in part, on (a) whether the target inventory transaction is executable by the target inventory system, and (b) whether executing the target inventory transaction on the target inventory system accomplishes a result on the target inventory system equivalent to a result on the source inventory system accomplished by executing the source inventory transaction on the source inventory system. Independent claims 9 and 29 recite comparable limitations.

Claims 1, 9, and 29 have been amended, in part, to further distinguish over the cited references by providing further detail as to the process of generating a target inventory transaction on a target system according to the claimed invention. These amendments can be best understood and appreciated by considering the architecture of the claimed inventory system, in which the claimed source systems are to be synchronized with target systems. An intermediate format is used to address issues raised by the fact that the source system is distinct from the target system (as claimed in claim 3), and so employs a format different from that of the target system, yet the target system needs to be synchronized with the source system. An example source inventory system might be implemented in a field service office, while an example target inventory system might be implemented in a central distribution warehouse. *See, e.g.*, Specification ¶ [0015]. In such an example, with distinct source and target systems, it follows that an inventory transaction that is executable on the source inventory system will differ in form from an inventory transaction that is executable on the target inventory system. Both source and target inventory systems are able to execute, for example, an “allocate” inventory transaction. However, the execution and structure of the “allocate” transaction may depend, at least in part, on the operating system used by given inventory system, for example. In other words, while there may be equivalent inventory transactions on both a source and target inventory systems, the inventory transactions themselves may need to be configured in a way that accounts for the underlying system differences.

Claims 1, 9, and 29 capture the claimed idea of generating a target inventory transaction in a target inventory system, where the generating includes determining an appropriate target inventory transaction. Determining the appropriate inventory transaction to execute on the target inventory system, in effect, is a translation of the inventory transaction on the source system into an inventory transaction on the target system. This is because while an inventory transaction on the source and target systems may need to be tailored to the underlying system, the effect produced by the transaction needs to be equivalent on each, and so should result in the synchronization of the source and target inventory systems.

Jain, cited for purportedly teaching the “generating a target inventory transaction” limitation, fails for a simple reason: Jain only considers a homogeneous system architecture. *See* Office Action, citing Jain, Fig. 2D, Fig. 11A1, Fig. 11B 6:36-43, 6:44-61, and 21:31-59.

Jain's "procedure-level replication" operates in a computing environment in which the sites in the peer-to-peer environment are essentially identical to one another. Because each site in Jain's peer-to-peer environment is the same, the same operation that works on one such site will work on another of the sites. Jain only considers the direct replication of a procedure on one site to be performed on another site (i.e., making an identical copy thereof). Because Jain's system is homogeneous, there is never any consideration of which transaction on a target system would be appropriate to a given transaction on a source system, nor any need to do so. This is because, in Jain, it only makes sense that to replicate an operation on one site at another site, only the same operation need be used. In fact, in light of this homogeneity, only the same operation is allowed to be used.

Given that, in Jain's homogeneous, peer-to-peer environment, only the same procedure is replicated from site to site, Jain also fails to teach or in any way suggest the remaining claimed limitations related to the generating of a target inventory transaction. Thus, Jain also fails to teach or suggest the determining of whether the target inventory transaction is appropriate to a target inventory system, and that the determining is based, at least in part, on whether executing the target inventory transaction on the target inventory system accomplishes a result on the target inventory system equivalent to a result on the source inventory system accomplished by executing the source inventory transaction on the source inventory system.

Coleman, correctly, is not cited as teaching or showing the claimed "generating a target inventory transaction in the target inventory system" limitation. At the least, then, Coleman is unable to cure the deficiencies that Jain suffers in teaching or suggesting this limitation. Thus, neither Jain nor Coleman, alone or in any combination, teach or suggest all of the elements of claims 1 and 9, and all claims depending therefrom.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance without any further examination. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicants hereby petition for such extensions. Applicants also hereby authorize that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to Deposit Account 502306.

I hereby certify that this correspondence is being submitted to the U.S. Patent and Trademark Office in accordance with 37 C.F.R. § 1.8 on 9/7/2010 by being (a) transmitted via the USPTO's electronic filing system; or (b) transmitted by facsimile to 571-273-8300; or (c) deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Mail Stop AE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450.

/ Samuel G. Campbell III /

Samuel G. Campbell III

September 7, 2010
Date

Respectfully submitted,

/ Samuel G. Campbell III /

Samuel G. Campbell, III
Attorney for Applicants
Reg. No. 42,381
512-439-5084
512-439-5099 (fax)